

Appl. No. 10/649,078
Amdt. dated June 21, 2005
Reply to Office action of March 21, 2005

REMARKS/ARGUMENTS

Applicants have received the Office Action dated March 21, 2005, in which the Examiner: 1) rejected claims 6-13 under 35 U.S.C. § 102(e) as allegedly anticipated by *Nishimura et al.* (U.S. Pat. No. 6,713,830); and 2) rejected claims 14-28 under 35 U.S.C. § 102(e) as allegedly anticipated by *Hidaka* (U.S. Pub. No. 2004/0095804).

With this Response, Applicants have amended claims 6, 14, 20, and 25 and canceled claims 8, 17, and 21. Therefore, claims 1-7, 9-16, 18-20, and 22-28 remain pending.

I. CLAIMS 1-5

The status of claims 1-5 is indeterminate. Page 5 of the Office Action states that "the apparatuses discussed above would perform the claimed method [of claims] 1-5." Since this is the only treatment given to claims 1-5 in the Office Action, it is difficult for Applicants to determine whether the Examiner is relying on *Nishimura* or *Hidaka* in rejecting claims 1-5. Therefore, Applicants respectfully request clarification as to the basis of the rejections of claims 1-5.

II. REJECTIONS BASED ON *NISHIMURA*

Claims 6, 7, and 9-13 stand rejected as allegedly anticipated by *Nishimura*. Applicants respectfully traverse because *Nishimura* fails to teach or suggest all of the claim elements. For example, independent claim 6, as amended, recites that "the individual transistors within the plurality of transistors are binary weighted." Nowhere does *Nishimura* teach or suggest binary weighting of transistors. The sizes of transistors 211-226 in Figure 33 are not indicated, nor is there any teaching as to the relative sizing of these transistors with respect to each other, such as binary weighting. For at least this reason, independent claim 6 as well as dependent claims 7 and 9-13 are not anticipated by *Nishimura*.

III. REJECTIONS BASED ON *HIDAKA*

Claims 14-28 stand rejected as allegedly anticipated by *Hidaka*. Applicants respectfully traverse because *Hidaka* fails to teach or suggest all of the claim elements. For example, claim 14, as amended, recites that "a threshold voltage for the inverter is varied as the write signal is varied." *Hidaka*, on the

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other hand, is silent with regard to varying the threshold voltage of the inverter. Page 4 of the Office Action cites to a varying threshold in paragraph [0043], however, the threshold described in this portion of *Hidaka* is not a threshold **voltage** of an inverter but rather a **magnetization threshold** of magnetic memory element. Applicants note that the threshold voltage of an inverter is drastically different than the magnetization threshold of a magnetic memory element, and that the two are simply unrelated. Accordingly, claim 14 and dependent claims are not anticipated by *Hidaka* for at least this reason.

Furthermore, there is no suggestion anywhere in *Hidaka* that the inverters have variable threshold voltages. In fact, the inverters 50, 55 of *Hidaka* are shown coupled to stagnant power supply and ground voltages, and therefore their threshold voltages are stagnant. Thus, combining *Hidaka* with another reference, for example in an attempt to render claim 14 obvious, would be improper because *Hidaka* strictly shows stagnant power supply and ground voltages.

Independent claims 20 and 25, as amended, similarly require a variable threshold voltage for the inverter, and therefore are not anticipate or rendered obvious by *Hidaka* for at least the same reasons as independent claim 14.

IV. CONCLUSION

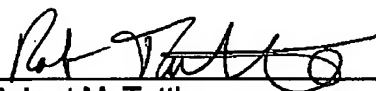
In the course of the foregoing discussions, Applicants may have at times referred to claim elements in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other elements can be ignored or dismissed. The claims must be viewed as a whole, and each element of the claims must be considered when determining the patentability of the claims.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including

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fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,


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